



**UNITED STATES DEPARTMENT OF COMMERCE**  
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/232,289 01/15/99 BJORND AHL

P 34650-250USP

EXAMINER

TM02/0712

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ART UNIT

PAPER NUMBER

2684

DATE MAILED:

07/12/01

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

**Advisory Action**

Application No.

09/232,289

Applicant(s)

BJORND AHL, PER

Examiner

Pablo N Tran

Art Unit

2684

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 18 June 2001 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

**PERIOD FOR REPLY [check either a) or b)]**

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on \_\_\_\_\_. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
  - (b) ☐ they raise the issue of new matter (see Note below);
  - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
  - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_

3. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.
4. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See attachment.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☐ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: \_\_\_\_\_.

Claim(s) objected to: \_\_\_\_\_.

Claim(s) rejected: 1,3-15,27-29 and 31-35.Claim(s) withdrawn from consideration: 2,16-26,30.

8. ☐ The proposed drawing correction filed on \_\_\_\_\_ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_.
10. ☐ Other:

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**Attachment**

Applicant submits that *Israelsson* does not teach or suggest transmitting a security message and switching from a radio transceiving mode to an infrared transceiving mode. Also, Applicant submits that *Felsenstein* reference does not teach or suggest switching from a radio frequency transceiving mode to an infrared mode prior to the transmission of an infrared security message. Furthermore, Applicant submits that prior art does not disclose or suggest said second device transmits an infrared request message to said first device.

*Israelsson* disclosed a mobile telephony system capable of switching between signal transmission with radio waves and signal transmission with light. Furthermore, it is obvious when a mobile station is near a light Tx/Rx point (LXP), the base station send a IR request command to the mobile station to switch over, handoff, to an IR channels to avoid disturbance (abstract, col. 3/ln. 40-col. 4/ln. 28, col. 5/ln. 39-46).

*Israelsson* disclose Applicant's invention except teaching prior to transceiving a security message therebetween, said first and second devices switch transceiving to said first communication mode, and transmit said security message in said first communication mode.

*Felsenstein* disclosed transceiving a code, security, message therebetween said first communication mode. Whether the communication is in RF or IR mode, the transmission of the code, security, message is always switched over to IR mode (fig. 2-3, col. 3/ln. 25-col. 4/ln. 62).

In order to transmit security messages in infrared signal to prevent unauthorized listeners, it

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would have obvious to one of ordinary skill in the art at the time of Applicant's invention to provide a systems for secure wireless communication as taught by *Felsenstein* in conjunction with a mobile telephony system as taught by *Israelsson*.

July 10, 2001

Pablo Tran



Examiner, Art Unit 2684



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